

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
PETER SENESE,

Plaintiff,

-against-

KARL HINDLE,

Defendant.  
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MEMORANDUM  
AND ORDER

11-CV-0072 (RJD)

ROANNE L. MANN, UNITED STATES MAGISTRATE JUDGE:

On December 15, 2010, *pro se* defendant Karl Hindle apparently attempted to file and serve *pro se* plaintiff Peter Senese with a copy of a motion to dismiss Senese's state court action. See State Court Filings, Endorsed Order on Order to Show Cause (Declined) (Dec. 17, 2010) at 30, ECF Docket Entry #17.<sup>1</sup> However, such motion is not included with the state court papers provided to this Court. Defendant is ordered to file and serve this motion to dismiss, with any desired supplemental information and/or materials, by Monday, May 23, 2011. Plaintiff is ordered to file and serve any response to this motion by Wednesday, June 8. The parties are reminded that all filings with the Court must include proof of service on the opposing party.

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<sup>1</sup> Plaintiff included in his state court submissions a copy of an email from defendant to plaintiff referencing an attachment to a "true copy of the motion to dismiss with prejudice filed with Kings County Supreme Court."

The Clerk is directed to docket this Order into the ECF system and to transmit copies to the parties via Federal Express.

**SO ORDERED.**

**Dated: Brooklyn, New York  
May 11, 2011**

**ROANNE L. MANN  
UNITED STATES MAGISTRATE JUDGE**